File No. 0039096-0030

LI



PRIOR APPLICATION: 08/474,927

EXAMINER:
A. Chakrabarti

ANTICIPATED CLASSIFICATION
OF THIS APPLICATION:

CLASS

SUBCLASS

ASST. COMMISSIONER FOR PATENTS BOX APPLICATION WASHINGTON, D.C. 20231 EXPRESS MAIL

Mailing label number: Date of Deposit: FI465184128US January 10, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, BOX APPLICATION, Washington, D.C. 20231.

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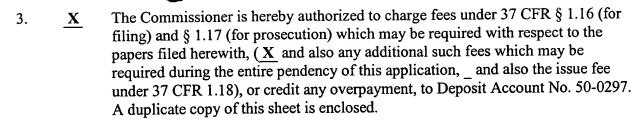
(Signature of person mailing paper or fee)

Sir:

This is a Request for filing a X continuation, __divisional application under 37 CFR §1.53(b) of pending prior application Serial No. 08/474,927, filed on June 7, 1995, by Kenten et al. and currently entitled Cycling DNA/RNA Amplification Electrochemiluminescent Probe Assay.

- Enclosed is a copy of the latest inventor signed prior application, including the oath or declaration as originally filed. I hereby verify to the best of my information and belief that the attached papers are a true copy of the latest inventor signed prior application Serial No. 08/474,927 as originally filed on June 7, 1995.
- 2. X The filing fee is calculated on the basis of the claims existing in the prior application, less any claims cancelled by amendment at paragraph 5 below, as follows:

(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RA'IE	(5) CAL	CULATIONS
TOTAL CLAIMS	20	0	x \$22.00		\$0
INDEPENDENT CLAIMS	3	0	x \$39.00		0
MULTIPLE DEPENDENT CLAIMS(S) (IF APPLICABLE)			+\$		0
WODIN DE BEI BUIE			BASIC FEE	+	\$ 380.00
		Total of above Calculation	S		\$380.00
Reduction by 1/2 for filing	ng by small entity (Note: 37	7 CFR § 1.9, § 2.37, § 1.28). already be on file in prior ap	oplication.		
ii applicable, verifice sa	tomont must be analysed of	TOTAL FILING FEE		12.00	\$380.00



- 4. a. X A check in the amount of \$380.00 is enclosed.
 - b. __ The filing fee to be paid later with surcharge [pursuant to 37 CFR § 1.53(d)].
- Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- 6. X Amend the specification by inserting before the first line the sentence:

This application is a \underline{X} continuation _ division of application Serial No. $\underline{08/474,927}$, filed **June 7**, 1995, which is incorporated herein by reference.

[Note: If priority under 35 U.S.C. 120 involves a series of respectively copending applications, then in this amendment identify each and its relationship to its immediate predecessor.]

- 7. a. A verified statement claiming small entity status is enclosed. [Note: Such a statement may be filed within two months with a request for refund of overpayment, under 37 CFR § 1.28(a)].
 - b. X A verified statement claiming small entity status was filed in the prior application, Serial No.08/474,927, filed June 7, 1995. Status as a small entity is still proper and is desired and claimed herein.
- 8. a. Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by 37 CFR § 1.138 and before payment of issue fee.)
 - b. New formal drawings are enclosed.
- 9. a. Priority of foreign Application No(s). _ filed on _ in _, respectively, is claimed under 35 U.S.C. 119.
 - b. _ A certified copy of said foreign priority application(s) was filed in prior U.S. application Serial No. _ filed _. Acknowledgement thereof is requested.
- 10. X The prior application is assigned of record to IGEN International, Inc.
- 11. X A preliminary amendment is intended.

- 12. X The power of attorney in the prior application is to. Barry Evans, Reg. No. 22,802.
 - a. X The power appears in the original papers in the prior application.
 - b. _ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- Original title and original applicant(s) of prior U.S. application, if different from above:
- 14. Also enclosed: Information Disclosure Statement.
- Address all future communications to (may only be completed by applicant, or attorney, or agent of record):

Attention of: Barry Evans, Esq. WHITMAN BREED ABBOTT & MORGAN LLP 200 Park Avenue New York, New York 10166

Any extension of time necessary to maintain the copendency of the prior application and to allow the timely filing of this application is hereby requested. Please charge the fee for the extension of time, if not otherwise paid, to Deposit Account No. 50-0297. A duplicate copy of this sheet is enclosed for filing in the prior application file.

Date: January 10, 2000

WHITMAN BREED ABBOTT & MORGAN LLP

By:

Barry Evans Reg. No. 22,802 Pamela C. Ancona

Reg. No. 41,494

Attorney/Agent of record (or filed under 37 CFR § 1.34)

Telephone: (212) 351-3000

PATENT APPLICATION SERIA	AL NO
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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FEE RECORD SHEET

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